sale or lease, first sold or leased, or installed after the date that is 2 years after the date of the enactment of this Act.

DEVELOPING INNOVATION AND GROWING THE INTERNET OF THINGS ACT

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 113, S. 88.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 88) to ensure appropriate spectrum planning and interagency coordination to support the Internet of Things.

There being no objection, the Senate proceeded to consider the bill.

Mr. WICKER. Mr. President, I ask unanimous consent that the Fischer substitute amendment at the desk be considered and agreed to, and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 769) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. WICKER. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 88), as amended, was passed.

Mr. WICKER. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUNT). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG). Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 101 and 102.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The legislative clerk read the nominations of Neil Chatterjee, of Kentucky, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2021; and Robert F. Powelson, of Pennsylvania, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2020.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Chatterjee and Powelson nominations en bloc?

The nominations were confirmed en bloc.

Ms. MURKOWSKI. Mr. President, I want to take just a moment and thank those who have worked so hard to make sure that the Federal Energy Regulatory Commission will have a functioning quorum—and more than just having a functioning quorum, the quality of individuals we are sending to the FERC as Commissioners is truly impressive to see.

Neil Chatterjee, whom, without doubt, almost all of us on this floor know, has been working here in the Senate, working in the leader's office for years, and has been an invaluable asset to me and my staff on the Energy and Natural Resources Committee. He is extremely knowledgeable, extremely committed and dedicated, and it has been a real pleasure to work with him.

I don't know Mr. Powelson as well, but having had an opportunity to advance his name before the Energy and Natural Resources Committee for confirmation, too, I know that the expertise and the credentials he will bring to the Commission are greatly appreciated.

I think we recognize that there is much we are anxious to see happen throughout the country in a new administration where we are talking a lot about infrastructure—when we are talking about our energy assets and what we can do to help facilitate the build-out of an aging infrastructure and the add-on of new infrastructure. But in order to proceed with much of this, you have to have the FERC actually operating, working to review the permits, working through the ratemaking cases. It is substantive work, it is challenging work, and it is work that has now been stacked up for months and months. So knowing that the FERC will be able to commence its operations again with a quorum is really good news today.

I think it is also important to note that the White House sent just this week two additional names—those of Mr. Glick and Mr. McIntyre. The Energy and Natural Resources Committee will be considering those in early September when we return so that, hopefully, we can get a full complement to this very important Commission.

Mr. MCCONNELL. Mr. President, Richard Glick and Kevin McIntyre have been nominated by the President for positions on the Federal Energy Regulatory Commission. I understand they will be heard and marked up in tandem in September and I have told the Democratic leader that they will move as a pair across the floor.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FDA REAUTHORIZATION BILL

Mr. HATCH. Mr. President, I wish to speak on the importance of maintaining a strong Food and Drug Administration. Today we approved the user fee reauthorizations for the FDA. We have done the important work of passing these essential user fee agreements out of the committee and have now debated and passed them on the Senate floor.

The HELP Committee is filled with strong personalities. These personalities reflect the passion and diversity of opinion of millions across our nation today. While we may disagree on certain policies, most of us can agree that funding the drug, device, and biologic centers of the FDA is essential.

Our future scientific endeavors require a strong FDA that communicates openly with the industry that it regulates, and this agreement sets up protocols to achieve that goal. A strong FDA also requires clear steps for product review, and only through such deliberative actions can we bring more competition and clarity to our drugs, devices, and biologic products.

I have championed multiple provisions in this bill, but there are two I would like to highlight today. First, there is the counterfeit and diverted drug language. This language makes importation neither harder nor easier. In fact, it doesn't change importation laws at all. Rather, it protects and strengthens the drug supply chain by

simply increasing penalties for criminals that choose to divert drugs into the United States or sell counterfeit drugs.

Current penalties for illegally diverting drugs in the United States change arbitrarily based on the location where the drugs are manufactured. Our bill addresses this disparity by enforcing the same penalties for diverting drugs made outside the United States as for those made inside the United States. To ensure public health and to enhance consumer confidence, it is critical that Congress eliminate these differing penalties for certain types of diversion and counterfeiting.

The second provision I wish to call attention to is a bipartisan proposal from Senators BENNET, BURR, and CASEY. These fine Senators have joined together to address how clinical trials are designed early on in their development. By offering guidance on how to include the intended patient population, especially those with rare diseases, drug sponsors can craft trials that generate useful data for health professionals and patients to review.

This bill builds upon the success of other expanded access provisions that put the patient at the heart of the healthcare system. FDA does consummate work when reviewing products for market, but including a wider patient mix, when appropriate, will enable phase I, II, and III trials to be more complex. I strongly believe that accurately portraying the intended patient population in a clinical trial is key to ensuring that drugs are both safe and effective.

I support this bill, but I also feel compelled to speak for a moment on the OPEN ACT. While not included in the package being debated today, the provisions of the Orphan Product Extension Now Accelerating Cures and Treatments Act—a bill I introduced this Congress with Senator MENENDEZ and last Congress with Senator KLOBUCHAR—would promote new therapies for rare diseases.

New therapies are essential to help the nearly 30 million Americans suffering from a rare disease or condition. Because complex rare diseases with small patient populations have limited market potential, there are few economic incentives to develop new drugs targeting those diseases. While there are 7,000 rare diseases that impact millions of Americans, 95 percent of these diseases have no treatment. All too often, misconceptions about the dangers of exclusivities keep bipartisan measures from being introduced. We must remain focused, however, and remember that, each day we delay in getting treatments to the rare disease community, patients and their families suffer.

Drug companies possess considerable scientific knowledge on drugs that have already been approved for common diseases. Some of these drugs could be repurposed for the treatment of rare diseases. Repurposing drugs is faster, less expensive, and generally less risky than traditional drug development.

The OPEN ACT would encourage such repurposing by providing an additional 6 months of market exclusivity to drugs that are repurposed and approved by FDA for a rare disease or condition.

Finding legislative ways help medical innovators treat rare diseases has been among my top priorities for over 30 years, since I first championed the bipartisan, bicameral Orphan rug Act in 1983. The OPEN ACT is a natural next step in expanding that effort to close the gap for rare diseases for which we have yet to develop treatments. In addition to increasing the number of rare disease therapies, this legislation will boost innovation and provide safer options for rare disease patients using drugs off-label. My bill enjoys enormous support with the backing of over 225 rare disease organizations and patient advocacy groups, not to mention overwhelming support from academic medical and research centers.

Although this provision is not in the bill before us, I have had assurances from Chairman Alexander that he will continue working with me and the cosponsors of this bill to see it become law. I have spoken to Ranking Member MURRAY in the past about it, and I remain optimistic that my colleagues share my concern for the rare disease community and are willing to advance this legislation in the future. I would like to thank the chairman and ranking member for their dedication to children and families in need.

I wish to conclude by reminding my colleagues that many of the debates that have led to the bill before us today are the culmination of years of experience. When I led the effort to pass what became Hatch-Waxman, the true impact of that law dwarfed even our loftiest hopes. Hatch-Waxman was a resounding success because Senators and Congressmen worked together to improve our country's situation and reduce barriers to market entry. This bill is vital to continuing that goal, and I am pleased to see where the negotiations have landed.

TAX REFORM

Mr. HATCH. Mr. President, last week, I joined the Senate majority leader, the Speaker of the House, the chairman of the House Ways and Means Committee, the Treasury Secretary, and the Director of the National Economic Council in issuing a joint statement on tax reform.

I ask unanimous consent that the text of the joint statement be printed in the RECORD at the conclusion of my remarks.

Since the statement's release, critics and naysayers have said quite a bit, some even going so far as to declare their opposition to the statement. That is a little odd, given that the statement is not a bill or a tax plan; it is simply a statement of agreed upon principles for tax reform.

That is not to say it was insignificant. Quite the opposite, in fact. The joint statement is an important development in the overall tax reform effort for several reasons.

For example, over the past several months, the favored tax reform narrative among some in the pundit class has been that Republicans are deeply divided. According to this narrative, Republicans in the Senate, the House, and the administration all have such fundamentally different views on tax reform that it will be impossible for us all to get on the same page.

Some of that was, to use an outdated description, pure poppycock.

When the administration puts out a framework that calls for a 15 percent corporate tax rate while the House blueprint has a 20 percent rate target, that is not really a disagreement. Both sides want to lower the corporate rate significantly, and the general idea in both cases is to reduce the rate as much as is reasonably possible.

Admittedly, there were some key differences of opinion. At the outset of this Congress, with a newly elected Republican President, it was fair to say that the House, Senate, and White House were on different pages when it came to some aspects of tax reform.

However, with last week's release of the joint statement, the leaders in this effort—in both congressional chambers and in the executive branch—have declared that, as of now, we are singing off the same song sheet. There are, of course, details that will need to be worked out, but all parties are in agreement on the key principles and have enough confidence that the process can move forward in Congress without the fear that the House, Senate, or administration will take drastically different approaches in crafting a tax reform package.

That is very significant. I have been working on tax reform for more than 6 years now, and this is the first time that we have had anything approaching this level of unity across the various Chambers and branches of government.

Another significant marker in the joint statement is the agreement that the tax-writing committees will do the lion's share of the work in producing the actual tax reform legislation and that the leaders are committed to moving through regular order, by which I mean committee markup processes prior to floor consideration.

This is key because one of the criticisms I have heard about Republicans' tax reform efforts is that the bill is being drafted behind closed doors I have even been scolded, sometimes pointedly, over why I have not held a Finance Committee hearing on ''the bill,'' even though there is no complete bill in place at this time.

Outside groups, some overtly aligned with the Democrats, have already put forward budget scores for the House